

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:
HUMANIGEN, INC.,¹
Debtor.

Chapter 11
Case No. 24-10003 (BLS)

**NOTICE OF (I) FILING OF A BANKRUPTCY PETITION AND RELATED
DOCUMENTS AND (II) AGENDA FOR TELEPHONIC HEARING ON FIRST
DAY MOTIONS SCHEDULED FOR JANUARY 8, 2024 AT 9:00 A.M. (ET)²**

THIS HEARING WILL BE CONDUCTED BY ZOOM ONLY.

**TO ATTEND THIS HEARING REMOTELY, PLEASE REGISTER USING THE
ECOURT APPEARANCE TOOL:**

<https://ecf.deb.uscourts.gov/cgi-bin/nvbsAppearances.pl>
or on the Court's Website at www.deb.uscourts.gov

**The deadline to register for remote attendance is 4:00 PM (ET) the business day
before the hearing unless otherwise noticed.**

**After registering your appearance, you will receive a confirmation email
containing information about joining the hearing.**

PLEASE TAKE NOTICE that on January 3, 2024, the above-captioned debtor and debtor in possession (collectively, the “Debtor”) filed the following voluntarily petition (the “Petition”) for relief under chapter 11 of title 11 of the United States Code, 11 U.S.C. §§ 101-1532:

A. Voluntary Petition:

1. Humanigen, Inc. [[Docket No. 1](#) – filed January 3, 2024]

¹ The Debtor’s mailing address in this chapter 11 case is 533 Airport Boulevard, Suite 400, Burlingame, CA 94010 and the last four digits of the Debtor’s federal tax identification number are 7236.

² All motions and other pleadings referenced herein are available online at the following address: <https://dm.epiq11.com/humanigen>.

PLEASE TAKE FURTHER NOTICE that on January 3 and January 4, 2024, in addition to the filing of the petition, the Debtor filed the following first day motions and related pleadings (collectively, the “First Day Motions”).

B. First Day Motions:

1. Application of Debtor for Entry of an Order (I) Approving the Retention and Appointment of Epiq Corporate Restructuring, LLC as the Claims and Noticing Agent to the Debtor, Effective as of the Petition Date, and (II) Granting Related Relief [[Docket No. 3](#) - filed January 3, 2024]
2. Motion of Debtor for Entry of Interim and Final Orders Authorizing (I) Continued Use of Existing Cash Management System, Including Maintenance of Existing Bank Accounts, Checks, and Business Forms, and (II) Continuation of Existing Deposit Practices [[Docket No. 4](#) - filed January 3, 2024]
3. Motion of Debtor for Entry of Interim and Final Orders (I) Authorizing the Debtor to Redact Certain Personally Identifiable Information and (II) Granting Related Relief [[Docket No. 5](#) - filed January 3, 2024]
4. Motion of Debtor for Entry of Interim and Final Orders Authorizing Payment of (I) Certain Prepetition Employee Claims, Including Wages, Salaries, and Other Compensation, (II) Certain Employee Benefits and Confirming Right to Continue Employee Benefits on Post-Petition Basis, (III) Reimbursement to Employees for Prepetition Expenses, (IV) Withholding and Payroll-Related Taxes, (V) Workers’ Compensation Obligations, and (VI) Prepetition Claims Owing to Administrators and Third-Party Providers [[Docket No. 6](#) - filed January 3, 2024]
5. Motion of Debtor for Entry of Interim and Final Orders (I) Authorizing the Debtor to Obtain Post-Petition Financing, Granting Senior Post-Petition Security Interests and According Superpriority Administrative Expense Status Pursuant to Sections 364(c) and 364(d) of the Bankruptcy Code, (II) Modifying the Automatic Stay, and (III) Granting Related Relief [[Docket No. 8](#) - filed January 4, 2024]
6. Motion of Debtor for Entry of (I) an Order (A) Approving Bid Procedures in Connection with the Potential Sale of Substantially All of the Debtor’s Assets, (B) Scheduling an Auction and a Sale Hearing, (C) Approving the Form and Manner of Notice Thereof, (D) Authorizing the Debtor to Enter into the Stalking Horse Agreement, (E) Approving Procedures for the Assumption and Assignment of Contracts and Leases, and (F) Granting Related Relief; and (II) an Order (A) Approving the Sale of Substantially All of the Debtor’s Assets Free and Clear of All Liens, Claims, Encumbrances, and Interests, (B) Authorizing the Assumption and Assignment of Contracts and Leases, and (C) Granting Related Relief [[Docket No. 10](#) - filed January 4, 2024]

- i. Motion of Debtor for Entry of an Order Shortening and Limiting the Notice with Respect to the Debtor's Bidding Procedures Motion [[Docket No. 12](#) - filed January 4, 2024]

C. First Day Declarations:

1. Declaration of Henry Madrid, Senior Vice President of Finance of the Debtor, in Support of Chapter 11 Petition and First Day Pleadings [[Docket No. 7](#) - filed January 3, 2024]
2. Declaration of Matt LoCascio in Support of Motion of Debtor for Entry of Interim and Final Orders (I) Authorizing the Debtor to Obtain Post-Petition Financing, Granting Senior Post-Petition Security Interests and According Superpriority Administrative Expense Status Pursuant to Sections 364(c) and 364(d) of the Bankruptcy Code, (II) Modifying the Automatic Stay, and (III) Granting Related Relief [[Docket No. 9](#) - filed January 4, 2024]
3. Declaration of Matt LoCascio in Support of Bid Procedures and Sale Motion [[Docket No. 11](#) - filed January 4, 2024]

PLEASE TAKE FURTHER NOTICE that a hearing with respect to the First Day Motions is scheduled for **January 8, 2024 at 9:00 A.M. (ET)** at the United States Bankruptcy Court for the District of Delaware, 824 North Market Street, 6th Floor, Courtroom No. 1, Wilmington, Delaware 19801 before The Honorable Brendan L. Shannon, United States Bankruptcy Judge for the District of Delaware. Parties who wish to participate in the First Day Hearing may do so by joining the Zoom hearing at the following link:

<https://ecf.deb.uscourts.gov/cgi-bin/nysbAppearances.pl>

PLEASE TAKE FURTHER NOTICE that objections, if any, to the First Day Motions may be made at the First Day Hearing.

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Dated: January 4, 2024
Wilmington, Delaware

Respectfully submitted,

/s/ Aaron H. Stulman

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Proposed Counsel to the Debtor and Debtor in Possession